

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

United States of America

v.

René Bernal Gaytán

Defendant.

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Case No. 2:21-cr-00074

Judge Graham

ORDER

This matter is before the Court upon Defendant René Bernal Gaytán's pro se *Motion to Modify Term of Imprisonment Pursuant to 18 U.S.C. § 3582(c)(2)*, filed March 14, 2024. ECF No. 45. Defendant asserts that he is eligible for sentence reduction under Amendment 821 of the United States Sentencing Guidelines. On February 16, 2024, Defendant, through counsel, filed a motion seeking identical relief. ECF No. 40. The Government responded on March 1, 2024, (ECF No. 41) and this Court granted Defendant's first motion (ECF No. 40) on March 5, 2024, reducing Defendant's term of incarceration from 97 months to 78 months of incarceration. ECF No. 43. The Court has already granted the relief sought by the motion currently before it; therefore, Defendant's *Motion to Modify Term of Imprisonment Pursuant to 18 U.S.C. § 3582(c)(2)* (ECF No. 45) is hereby **DENIED as moot**.

IT IS SO ORDERED.

s/ James L. Graham
JAMES L. GRAHAM
United States District Judge

DATE: April 1, 2024